



AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Northern District of New York

UNITED STATES OF AMERICA

v.

NUNEZ-BURGOS, Jose Manuel

Defendant.

Case No. 8:22-MJ-454 (GLF)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of August 22, 2022 in the county of St. Lawrence in the Northern District of New York the defendant violated:

Code Section
8 U.S.C. § 1324(a)(1)(A)(ii)

Offense Description
The defendant, knowingly and in reckless disregard of the fact that aliens have come to, entered, and remained in the United States in violation of law, transported, moved and attempted to transport and move, such aliens within the United States by means of transportation or otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

Supervisory Border Patrol Agent Brett M. Bouchard

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: August 23, 2022
*Judge's signature*City and State: Plattsburgh, New York

Hon. Gary L. Favro, U.S. Magistrate Judge

Printed name and title

United States of America v. NUNEZ-BURGOS, Jose Manuel

This criminal complaint is based on the following facts:

On August 22, 2022, at approximately 0130 hours, Border Patrol Agents (BPA) assigned to the Ogdensburg, NY Border Patrol Station assisted the St. Lawrence County Sheriff's Office during a traffic stop conducted by the Sheriff's Department for a violation of New York State Vehicle and Traffic Law. The vehicle, a 2018 Jeep Grand Cherokee, was bearing New York license plate KPD5547. BPA Sorrento was the first on scene. BPA Caccavo arrived shortly after and assisted BPA Sorrento with the questioning of the occupants of the vehicle. Upon BPA Sorrento's questioning, the driver, NUNEZ-BURGOS, Jose Manuel (COC: Chile), claimed he was in the United States on a "U" Visa. NUNEZ-BURGOS also stated there were other occupants in the vehicle and he did not know them.

During questioning of the passengers of the vehicle in the Spanish language, all subjects admitted to being in the United States illegally. All subjects also admitted to not having any immigration documents that would allow them to be, remain or pass through the United States. The subjects admitted that they entered into the United States via foot near Fort Covington, NY at approximately 7:00 pm on August 21, 2022. The subjects illegally entered the United States at a place not designated as a port of entry and therefore were not inspected or admitted into the United States. The passengers are listed below:

GARCIA-LORENZO, Mario (COC: Mexico)
VAZQUEZ-ENEMECIO, Jorge, Luis (COC: Mexico)
ORTIZ-AILON, Sergio, Geovanny (COC: Guatemala)

The subjects were transported to the Ogdensburg Border Patrol Station for further questioning and processing. At the station, the subjects' biographical information and fingerprints were entered into Department of Homeland Security databases. Record checks revealed that NUNEZ-BURGOS had overstayed his B1/B2 Visa that expired on 05/21/2018. Record checks also revealed that GARCIA-LORENZO had one prior Voluntary Return to Mexico in 2013. The rest of the subjects have no immigration or criminal history. None of the passengers had any record of legal entry into the United States.

NUNEZ-BURGOS was read his Miranda warnings by Border Patrol Intel Agent (BPA-I) Jason Soucis and BPA-I Travis DiPalma. Interviews were conducted in the Spanish language using Language Line Services. NUNEZ-BURGOS stated during his interview that he was put in contact with a subject he identified as "The Mechanic" who offered him money to travel to upstate New York to pick up people and drive them to various destinations throughout the United States, including Virginia, North Carolina and Kentucky. NUNEZ-BURGOS further stated he was to collect \$2,500USD per non-citizen to transport the subjects further into the United States when they were delivered to their final destinations. He would then give that money to "The Mechanic" when he returned to New York City and that he would receive \$4,000USD for transporting the subjects to their destinations.